

sacrifice to protect and preserve our freedoms. I also pass along my heartfelt condolences to Mark's family. This nation will be forever grateful to you.

IN HONOR OF MARIANO VEGA, JR.,  
RECIPIENT OF THE HISPANIC  
AMERICAN GOOD SCOUT AWARD

**HON. ROBERT MENENDEZ**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. MENENDEZ. Mr. Speaker, I rise today to honor Councilman Mariano Vega, Jr., who was honored on February 7th at the Hispanic American Good Scout Award Dinner at the Robert Treat Hotel in Newark, New Jersey.

Mr. Vega's career demonstrates his dedication to social service and his compassion for families, children, and the elderly living throughout our community. Before serving on the City Council, he was director of Hudson County Department of Public Resources, chief of Hudson County Division of Social Services, and director of the Jersey City Division of Welfare.

A dedicated educator, Councilman Vega has worked in many capacities as part of his commitment to improving education. A former teacher and counselor, he also served as assistant director of Admissions at Montclair State College in New Jersey, and as acting director for the Equal Opportunity Office at the University of Medicine and Dentistry of New Jersey.

A graduate of Montclair State College, Mr. Vega also studied at Rutgers University School of Social Work, School of Law, and Graduate School of Education; Cornell University School of Industrial and Labor Relations; and has participated in the Leadership Institute on Workforce Development and the Hispanic Leadership Opportunity Program. Mr. Vega was a National Policy Fellow at the former Department of Health, Education and Welfare, which today is known as the U.S. Department of Health and Human Services.

Councilman Vega has served as president of the Jersey City Board of education and Jersey City Borinquen Lions Club and commissioner of the Jersey City Planning Board. He founded the Liberty Soccer Club and International Recreation and Educational Exchange Program, and was a founding member of the Liberty Academy of Visual Arts and the Hispanic Leadership Association.

Today, I ask my colleagues to join me in honoring Mariano Vega, Jr., for his contributions to the City of Newark and the state of New Jersey, and his continued dedication to public service.

HONORING SUSAN B. ANTHONY

**HON. BARBARA CUBIN**

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mrs. CUBIN. Mr. Speaker, I rise today to recognize and honor a true pioneer in the fight for women's rights; a woman who 183 years ago this month set out on a life and career that would earn her a place in history—Susan B. Anthony.

She is perhaps best remembered for her struggle to obtain equal rights for all, regardless of age, race, or gender.

To her, life was about the dignity of all people—from the most oppressed of women to the most innocent and defenseless of all, the unborn.

As a pro-life woman, I can very much identify with her deeply held belief in the rights of the unborn. I personally believe that life begins at conception. That means that I want to protect and nurture human life in every stage of development.

Partial birth abortion is not an option. It is a death sentence. It is my hope that this Congress will pass, and the President will sign, a measure outlawing this repulsive procedure.

Susan B. Anthony was truly a compassionate sole and a protector of women and children. I feel it very appropriate to recognize her on this anniversary of her birth.

SUSAN B. ANTHONY

**HON. SUE WILKINS MYRICK**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mrs. MYRICK. Mr. Speaker, Susan B. Anthony is best remembered as a great women's rights campaigner. On February 15th, her 183rd birthday, we recognize that she was indeed instrumental in helping women achieve the right to vote.

Another piece of her legacy that is often brushed over but equally important is her commitment to the rights of unborn children. Susan B. Anthony believed that all people should be treated equally, and she made no exception for unborn children. She did not see a difference in fighting for women's rights and protecting the right to life for all children.

This is why I am taking this opportunity to honor her birthday today. As we think back on Susan B. Anthony's tireless work to promote the dignity of all life, let us renew our own commitment to fight for equal rights, especially for unborn children who have no voice to fight for themselves.

60TH ANNIVERSARY OF WOMEN IN  
MARINE CORPS

**HON. HEATHER WILSON**

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mrs. WILSON of New Mexico. Mr. Speaker, I would like to take this opportunity to commemorate the contributions of the thousands of women who have served in the United States Marine Corps throughout history. They celebrate their 60th anniversary today, February 13th, when the first group of women went off to Hunter College in 1943 to train as Women reservists to "Free a Man to Fight!" In honor of this anniversary I enter the following proclamation into the official record of today.

Whereas since its inception in 1943 to "Free a Man to Fight" under the leadership of Col. Ruth Cheney Streeter, thousands of women have served the Corps in every clime and place and have continued to be an essential part of the United States Marine Corps;

Whereas it should be acknowledged the women who serve a grateful nation are committed to preservation of the freedoms of this Nation and serve today at the forefront of our military in almost every specialty and;

Whereas it should be acknowledged that the first group of women who volunteered to serve their Nation led the way and broke the ground for all the women who serve today and are entitled to a special debt of gratitude and thanks;

Therefore, let it be known that the 60th anniversary of the women who have served in the United States Marine Corps marks a milestone that a grateful Nation acknowledges as those women and the women today and those that follow will continue to pursue a course of action that serves to inspire all freedom loving people in the world. SEMPER FIDELIS!

TRIBUTE TO OUR TROOPS

**HON. FRED UPTON**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. UPTON. Mr. Speaker, I rise today to recognize the brave men and women of the 415th Civil Affairs Company of the U.S. Army Reserve in Kalamazoo, Michigan. Often overlooked, our Reservists provide an invaluable service to our country and to our Armed Forces. The 415th Civil Affairs Company has been on continuous deployment for the better part of the last decade, separated from families, careers, and livelihoods. Now, these folks are being deployed to Kosovo to help keep the peace in an uncertain world. Freedom isn't free; it comes at a price—and individuals like these are the ones who bear the cost. I wish them a safe return.

INTRODUCTION OF THE "PARTIAL-BIRTH ABORTION BAN ACT OF 2003" REP. STEVE CHABOT

**HON. STEVE CHABOT**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. CHABOT. Mr. Speaker, today, on behalf of a bi-partisan coalition, I have introduced the "Partial-Birth Abortion Ban Act of 2003."

The "Partial-Birth Abortion Ban Act of 2003" would ban the dangerous and gruesome procedure known as a partial-birth abortion in which a physician delivers an unborn child's body until only the head remains inside the womb, punctures the back of the child's skull with a sharp instrument, and sucks the child's brains out before completing delivery of the dead infant. The great majority of these abortions are performed on unborn infants from the 20th to the 26th week of pregnancy and more often than not on the healthy babies of healthy mothers. The "Partial-Birth Abortion Ban of 2003" is similar to the previous bans on partial-birth abortion approved by the House in that an abortionist who violates the ban will be subject to fines or a maximum of two years imprisonment, or both; a civil cause of action

is established for damages against an abortionist who violates the ban; and a doctor cannot be prosecuted under the ban if the abortion was necessary to save the life of a mother whose life is endangered by a physical disorder, physical illness, or physical injury, including a life-endangering physical condition caused by or arising from the pregnancy itself.

A moral, medical, and ethical consensus exists that the practice of performing a partial-birth abortion is a gruesome and inhumane procedure that is never medically necessary and should be prohibited. Rather than being an abortion procedure that is embraced by the medical community, particularly among physicians who routinely perform other abortion procedures, partial-birth abortion remains a disfavored procedure that is not only unnecessary to preserve the health of the mother, but in fact poses serious risks to the long-term health of women and in some circumstances, their lives. It is also a medical fact that the unborn infants aborted in this manner are alive until the end of the procedure and fully experience the pain associated with the procedure. As a result, at least 27 states banned the procedure as did the United States Congress which voted to ban the procedure during the 104th, 105th, and 106th Congresses.

Three years ago in *Stenberg v. Carhart*, however, the United States Supreme Court struck down Nebraska's partial-birth abortion ban as an "undue burden" on women seeking abortions because it failed to include an exception for partial-birth abortions deemed necessary to preserve the "health" of the mother. The *Stenberg* Court based its conclusion "that significant medical authority supports the proposition that in some circumstances, [partial birth abortion] would be the safest procedure" for pregnant women who wish to undergo an abortion on the trial court's factual findings about the relative health and safety benefits of partial-birth abortions—findings which were highly disputed. Yet, because of the highly deferential clearly erroneous standard of appellate review applied to lower court factual findings, the *Stenberg* Court was required to accept these trial court findings.

These factual findings are inconsistent with the overwhelming weight of authority regarding the safety and medical necessity of the partial-birth abortion procedure—including evidence received during extensive legislative hearings during the 104th, 105th, and 107th Congresses—which indicates that a partial-birth abortion is never medically necessary to preserve the health of a woman, poses serious risks to a woman's health, and lies outside the standard of medical care. In fact, a prominent medical association has concluded that partial-birth abortion is "not an accepted medical practice," and that it has "never been subject to even a minimal amount of the normal medical practice development."

Thus, there exists substantial record evidence upon which Congress may conclude that the "Partial-Birth Abortion Ban Act of 2003" should not contain a "health" exception, because to do so would place the health of the very women the exception seeks to serve in jeopardy by allowing a medically unproven and dangerous procedure to go unregulated.

Although the Supreme Court in *Stenberg* was obligated to accept the district court's findings regarding the relative health and safety benefits of a partial-birth abortion due to the applicable standard of appellate review, Congress possesses an independent constitutional authority upon which it may reach findings of fact that contradict those of the trial court. Under well-settled Supreme Court jurisprudence, these congressional findings will be entitled to great deference by the federal judiciary in ruling on the constitutionality of a partial-birth abortion ban. Thus, the first section of the "Partial-Birth Abortion Ban Act of 2003" contains Congress's factual findings that, based upon extensive medical evidence compiled during congressional hearings, a partial-birth abortion is never necessary to preserve the health of a woman.

The "Partial-Birth Abortion Ban Act of 2003" does not question the Supreme Court's authority to interpret *Roe v. Wade* and *Planned Parenthood v. Casey*. Rather, it challenges the factual conclusion that a partial-birth abortion might, in some circumstances, be the safest abortion procedure for some women. The "Partial-Birth Abortion Ban Act of 2003" also responds to the *Stenberg* Court's second holding, that Nebraska's law placed an undue burden on women seeking abortions because its definition of a "partial-birth abortion" could be construed to ban not only partial-birth abortions (also known as "D & X" abortions), but also the most common second trimester abortion procedure, dilation and evacuation or "D & E." The "Partial-Birth Abortion Ban Act of 2003" includes a new definition of a partial-birth abortion that clearly and precisely confines the prohibited procedure to a D & X abortion.

This bill is not new. This chamber has passed legislation to ban this procedure four times and twice, this chamber voted to override the President's veto of this bill. Now that we have a President who is equally committed to the sanctity of life and who has promised to stand with Congress in its efforts to ban this barbaric and dangerous procedure, it's time for Congress to act to place this bill in front of the President and end this barbaric and dangerous procedure.

#### INTRODUCTION OF THE ACCIDENTAL SHOOTING PREVENTION ACT

**HON. JAMES R. LANGEVIN**

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. LANGEVIN. Mr. Speaker, today I am joined by 33 of my colleagues in introducing the "Accidental Shooting Prevention Act" to address the large number of firearm injuries and deaths that occur when users mistakenly fire guns they believe are not loaded. This

sensible bipartisan legislation would require that all semiautomatic firearms manufactured after January 1, 2006, which have removable magazines, be equipped with plainly visible chamber load indicators and magazine disconnect mechanisms.

As with many other consumer products, firearm design can reduce the risk of injury. But unlike other products, gun design decisions have been largely left to manufacturers. Fortunately, firearms manufacturers have already produced many guns with safety devices, such as chamber load indicators and magazine disconnect mechanisms, which can help reduce the risk of accidental injuries.

A chamber load indicator indicates that the gun's firing chamber is loaded with ammunition, but to be effective, a user must be aware of the indicator. Generally, chamber load indicators display the presence of ammunition via a small protrusion somewhere on the handgun. Unfortunately, most chamber load indicators do not clearly indicate their existence to untrained users or observers. We must ensure these indicators are easily visible to all gun users, and my legislation will do just that.

By comparison, a magazine disconnect mechanism is an interlocking device which prevents a firearm from being fired when its ammunition magazine is removed, even if there is a round in the chamber. Interlocks are found on a wide variety of consumer products to reduce injury risks. For example, most new cars have an interlocking device that prevents the automatic transmission shifter from being moved from the "park" position unless the brake pedal is depressed. It is common sense that a product as dangerous as a gun should contain a similar safety mechanism.

At the age of sixteen, I was left paralyzed when a police officer's gun accidentally discharged and severed my spine. Although the act was unintentional, I am reminded every day of the tragedies that can occur when firearms are mishandled. Unfortunately, I am not alone in my experience. In 1999, the Centers for Disease Control reported that over 820 people were killed in the United States by accidental discharges of firearms, and many more were injured. Clearly, mistakes can happen even when guns are in the hands of highly-trained weapons experts, which is why safety devices are so critical.

I urge my colleagues to join me and the 33 original co-sponsors of this bill in reducing the risk of unintentional shootings. Please co-sponsor this responsible measure, and help make firearms and their storage safer while protecting those unfamiliar with the operation of guns.

#### NORTH TEXAS MOBILITY IMPROVEMENT ACT OF 2003

**HON. MICHAEL C. BURGESS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, February 13, 2003*

Mr. BURGESS. Mr. Speaker, I rise today to introduce the North Texas Mobility Improvement Act of 2003.

Transportation, its related infrastructure, and industry are a vital part of Texas' economic development and a significant contributor to quality of life in the 26th congressional district of Texas. My congressional district includes